

Message Text

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TO AMEMBASSY LONDON PRIORITY

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FOR IWC DELEGATION

FOLLOWING REPEAT STATE 132204 ACTION TOKYO INFO MOSCOW 20
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E.O. 11652:GDS

TAGS:ETRD EFIS, US, JA

SUBJECT: JAPANESE REPRESENTATION ON WHALING PROBLEM AT
IWC MEETING

REF: STATE 123750

1. MR. KOSUGI AND MAF ATTACHE MATSUOKA OF JAPANESE
EMBASSY CALLED ON DEP. ASST. SEC. EDMOND TO PRESENT TALKING
PAPER ON WHALING PROBLEM. TEXT OF PAPER IS AS FOLLOWS:

QUOTE: 1. CONCERNING THE WHALING PROBLEM, JAPAN
HAS TAKEN THE POSITION OF AIMING TOWARD EFFECTIVE CON-
SERVATION AND AT THE SAME TIME ACHIEVING RATIONAL UTILI-
ZATION OF WHALE STOCKS BASED ON SCIENTIFIC GROUNDS ALONG
WITH THE OBJECTIVES OF THE INTERNATIONAL CONVENTION FOR
THE REGULATION OF WHALING, AND JAPAN CONSIDERS THAT LAST
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YEAR'S PRESENTATION OF OBJECTIONS TO CERTAIN IWC DECISIONS

CONFORMED TO THAT BASIC POSITION.

2. AT THE COMING IWC ANNUAL MEETING, BASED UPON THE BASIC POSITION PRESCRIBED ABOVE, JAPAN, IN CLOSE COOPERATION WITH REPRESENTATIVES OF MEMBER COUNTRIES, WOULD LIKE TO CONTRIBUTE POSITIVELY TOWARD FINDING BETTER WAYS OF MANAGING WHALE STOCKS, INCLUDING WAYS OF STRENGTHENING THE IWC ITSELF.

3. JAPAN IS PAYING ATTENTION TO RECENT DEVELOPMENTS IN INTERNATIONAL OPINION ON WHALING; HOWEVER, JAPAN IS OF THE VIEW THAT THE PROBLEM OF CONSERVATION OF WHALE STOCKS SHOULD BE DISCUSSED CALMLY ON THE BASIS OF SCIENTIFIC AND RATIONAL VIEWPOINTS WITHOUT GIVING WAY TO EMOTIONALISM IN THE FORUM OF THE IWC WHERE THE MOST ADVANCED SCIENTIFIC KNOWLEDGE OF WHALE STOCKS HAS BEEN ACCUMULATED.

4. AS DESCRIBED ABOVE, JAPAN CONSIDERS THAT THE WHALING PROBLEM SHOULD BE SOLVED IN THE FORUM OF THE IWC BASED UPON SCIENTIFIC GROUNDS, AND JAPAN DEEPLY REGRETS THAT THERE IS A MOVEMENT IN THE U.S. TO PRESSURE JAPANESE WHALING ACTIVITIES BY RESORTING TO IMPORT RESTRICTIONS AGAINST JAPANESE GOODS. JAPAN IS CONTRIBUTING TO THE CONSERVATION AND RECOVERY OF WHALE STOCKS BY STRICTLY OBSERVING THE RATIONAL CONSERVATION MEASURES OF THE IWC, AND IF THE U.S. GOVERNMENT SHOULD DETERMINE THAT JAPAN IS DIMINISHING THE EFFECTIVENESS OF AN "INTERNATIONAL FISHERY CONSERVATION PROGRAM", JAPAN WOULD CONSIDER IT VERY INAPPROPRIATE.

5. JAPAN CONSIDERS THAT THE U.S. ACTION OF IMPORT RESTRICTION AGAINST JAPAN OF NOT ONLY WHALE PRODUCTS, BUT OF FISHERY PRODUCTS IN GENERAL, BASED ON THE TERMS OF THE PELLY AMENDMENT, DOES NOT MEET THE REQUIREMENTS OF ARTICLE XX OF THE GATT WHICH PROVIDES FOR GENERAL EXCEPTIONS, AND THAT IT MAY CONFLICT WITH THE PROVISIONS OF ARTICLE XI OF THE GATT WHICH PROVIDES FOR THE GENERAL ELIMINATION OF QUANTITATIVE RESTRICTIONS, AND MAY CON-

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FLICT WITH ARTICLE XIII OF THE GATT WHICH PROVIDES FOR NON-DISCRIMINATORY ADMINISTRATION OF QUANTITATIVE RESTRICTIONS, AND ARTICLE XIV OF THE TREATY OF FRIENDSHIP, COMMERCE, AND NAVIGATION BETWEEN JAPAN AND THE UNITED STATES OF AMERICA, AND JAPAN IS SERIOUSLY CONCERNED ABOUT DEVELOPMENTS IN THIS MATTER. UNQUOTE

2. AFTER READING PAPER EDMOND ASKED WHETHER INTENT OF

SECOND PARAGRAPH WAS THAT GOJ HAD SOMETHING MORE IN MIND IN COMPLIANCE WITH INTERNATIONAL CONSERVATION MEASURES THAN JUST FOLLOWING IWC PROVISIONS STRICT LEGAL SENSE. KOSUGI ANSWERED THAT HE WAS NOT SURE ABOUT INTENTION OF THAT PARAGRAPH AND HAD NO INSTRUCTIONS BUT FUJITA WHO WILL BE GOJ REP, WOULD PROBABLY CLARIFY THAT POINT AT IWC MEETING. EDMOND NOTED THAT OUR POSITION REGARDING IMPORTANCE OF CONSERVATION OF WHALES IS CLEAR AND THERE WAS NO NEED FOR HIM TO REPEAT IT. HE SAID HE WAS DISAPPOINTED THAT PAPER DID NOT SUGGEST MORE WOULD BE DONE. ALTHOUGH SCIENTISTS ARE NOT SURE ABOUT THE EXTENT OF THE THREAT TO ENDANGERED WHALE SPECIES, MOST AGREE THAT THE SITUATION IS SERIOUS. WE AGREE THAT FULL UNDERSTANDING OF WHALE PROBLEM IS IMPORTANT AND HAVE WORKED TO HAVE ACHIEVED IT, BUT THE PAPER SEEMED ALMOST TOO PURELY LOGICAL. KOSUGI RESPONDED THAT AN AGREEMENT IN IWC SATISFACTORY TO ALL SIDES WOULD BE THE BEST SOLUTION. HE NOTED THAT AT THE CONFERENCE OF JAPANESE DIPLOMATIC OFFICERS IN NORTH AMERICAN HELD IN WASHINGTON LAST WEEK MANY PARTICIPANTS HAD ASKED WHAT WOULD BE DONE ABOUT WHALES. HE FELT THAT THE GOJ WAS WELL AWARE OF THE SENSITIVITY OF THE ISSUE.

3. MR. EDMOND EXPRESSED APPRECIATION FOR THE TALKING PAPER AND SAID THAT HE WOULD ASSURE THAT COPIES WERE MADE AVAILABLE TO USG REPRESENTATIVES. KISSINGER

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